

FORM L144

Notice of Intent to Close Chapter 7 Case Without Entry of Discharge Due to Failure to File

18-20365 – D – 7

Certification About A Financial Management Course (Official Form 423) (v.8.14)

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Robert T Matsui United States Courthouse
501 I Street, Suite 3-200
Sacramento, CA 95814

(916) 930-4400
www.caeb.uscourts.gov
M-F 9:00 AM – 4:00 PM



**NOTICE OF INTENT TO CLOSE CHAPTER 7 CASE
WITHOUT ENTRY OF DISCHARGE DUE TO FAILURE TO FILE CERTIFICATION
ABOUT A FINANCIAL MANAGEMENT COURSE (OFFICIAL FORM 423)**

Case Number: 18-20365 – D – 7

Debtor Name(s) and Address(es):

Radhey Shyam
2780 Oxford Ln
Tracy, CA 95377

Lilliam Shyam
2780 Oxford Ln
Tracy, CA 95377

Under the Federal Rules of Bankruptcy Procedure, the Clerk of the Court may close a chapter 7 case without entry of a discharge if Official Form 423, *Certification About A Financial Management Course*, is not filed by the debtor(s) within 60 days after the date first set for the meeting of creditors under § 341 of the Bankruptcy Code, and the case is otherwise eligible for closing. Forty-five (45) days have now passed since the date first set for the meeting of creditors in this case and Official Form 423 has not been filed by the debtor(s).

NOTICE IS HEREBY GIVEN THAT this case may be closed without entry of a discharge unless Official Form 423, *Certification About A Financial Management Course*, or a motion for extension of time to file Official Form 423, is filed **with the Clerk at the address shown above** on or before 07/05/2019. Once the case is closed without entry of a discharge, obtaining a discharge will require the filing of Official Form 423, together with a motion to reopen the case and payment of a reopening fee (currently \$260.00 in a chapter 7 case).

Official Form 423 is printed on the reverse of this notice for your convenience. It is also available under "Official Forms" on the Forms and Publications page of the court's web site (www.caeb.uscourts.gov).

Dated: 6/21/19

Wayne Blackwelder
Clerk of Court

Fill in this information to identify the case:

Debtor 1	Radhey Shyam		
	First Name	Middle Name	Last Name
	Lilliam Shyam		
Debtor 2 (Spouse, if filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court Eastern District of California			
Case number: 18-20365			

Official Form 423

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Certification About a Financial Management Course

If you are an individual, you must take an approved course about personal financial management if:

- you filed for bankruptcy under chapter 7 or 13, or
- you filed for bankruptcy under chapter 11 and § 1141 (d)(3) applies.

In a joint case, each debtor must take the course. 11 U.S.C. §§ 727(a)(11) and 1328(g).

After you finish the course, the provider will give you a certificate. The provider may notify the court that you have completed the course. If the provider does notify the court, you need not file this form. If the provider does not notify the court, then Debtor 1 and Debtor 2 must each file this form with the certificate number before your debts will be discharged.

- If you filed under chapter 7 and you need to file this form, file it within 60 days after the first date set for the meeting of creditors under § 341 of the Bankruptcy Code.
- If you filed under chapter 11 or 13 and you need to file this form, file it before you make the last payment that you plan requires or before you file a motion for a discharge under § 1141(d)(5)(B) or § 1328(b) of the Bankruptcy Code. Fed. R. Bankr. P. 1007(c).

In some cases, the court can waive the requirement to take the financial management course. To have the requirement waived, you must file a motion with the court and obtain a court order.

Part 1: Tell the Court About the Required Course

You must check one:

☐ **I completed an approved course in personal financial management:**

Date I took the course

MM / DD / YYYY

Name of approved provider

Certificate number

☐ **I am not required to complete a course in personal financial management because the court has granted my motion for a waiver of the requirement based on (check one):**

- | | |
|---------------------------------------|---|
| <input type="checkbox"/> Incapacity. | I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances. |
| <input type="checkbox"/> Disability. | My physical disability causes me to be unable to complete a course in personal financial management in person, by phone, or through the internet, even after I reasonably tried to do so. |
| <input type="checkbox"/> Active duty. | I am currently on active military duty in a military combat zone. |
| <input type="checkbox"/> Residence. | I live in a district in which the United States trustee (or bankruptcy administrator) has determined that the approved instructional courses cannot adequately meet my needs. |

Part 2: Sign Here

I certify that the information I have provided is true and correct.

Signature of debtor named on certificate

Printed name of debtor

Date
MM / DD / YYYY